

SO ORDERED.



TIFFANY & BOSCO
P.A.

Dated: January 12, 2010

**2525 EAST CAMELBACK ROAD
SUITE 300**

PHOENIX, ARIZONA 85016

TELEPHONE: (602) 255-6000

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CHARLES G. CASE, II
U.S. Bankruptcy Judge

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09-50531/0633795695

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:

Stephon Ramon Smarr
Debtor.

Wells Fargo Bank, N.A.
Movant,
vs.

Stephon Ramon Smarr, Debtor, David M. Reaves,
Trustee.

Respondents.

No. 2:09-BK-30038-CGC

Chapter 7

ORDER

(Related to Docket #17)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated June 9, 2005 and recorded in the office of the
3 Maricopa County Recorder wherein Wells Fargo Bank, N.A. is the current beneficiary and Stephon
4 Ramon Smarr has an interest in, further described as:

5 Lot 297, of DOVE COVE ESTATES, according to the plat of record in the office of the County
6 Recorder of Maricopa County, Arizona, recorded in Book 629 of Maps, page 20 and Affidavits of
7 Correction recorded as 2003-1636615; as 2004-273721 and as 2004-273722, all of Official
8 Records.

9 IT IS FURTHER ORDERED that Movant may contact the Debtor by telephone or written
10 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
11 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
12 with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against
13 Debtor if Debtors personal liability is discharged in this bankruptcy case.

14 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
15 to which the Debtor may convert.

16 DATED this ____ day of _____, 2009.

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18 _____
19 JUDGE OF THE U.S. BANKRUPTCY COURT
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